

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

RAYMOND WIERZBIC, BERNICE WIERZBIC,
BRIAN WIERZBIC, AND ANGELENE WIERZBIC,

Plaintiffs,

v.

Case Number: 1:13-CV-00978-WMS-LGF

COUNTY OF ERIE,
ERIE COUNTY SHERIFFS DEPARTMENT,
ERIE COUNTY SHERIFF, TIMOTHY HOWARD,
Individually and in his official capacity,
DEPUTY ERIE COUNTY SHERIFF MICHAEL HOOCK,
Individually and in his official capacity,
DEPUTY ERIE COUNTY SHERIFF JASON WEISS,
Individually and in his official capacity,
DEPUTY ERIE COUNTY SHERIFF THOMAS WAS,
Individually and in his official capacity,
DEPUTY ERIE COUNTY SHERIFF JAMES FLOWERS
Individually and in his official capacity,
TOWN OF AURORA,
EAST AURORA POLICE DEPARTMENT,
EAST AURORA POLICE CHIEF RONALD KROWKA,
Individually and in his official capacity,
EAST AURORA POLICE OFFICER ROBERT BRAEUNER,
Individually and in his official capacity,

Defendants.

**APPENDIX TO COUNTY DEFENDANTS
RULE 56.1 STATEMENT OF MATERIALS FACTS
ON MOTION FOR SUMMARY JUDGMENT**

The Defendants, COUNTY OF ERIE, ERIE COUNTY SHERIFF'S DEPARTMENT,
ERIE COUNTY SHERIFF, TIMOTHY HOWARD, individually and in his official capacity,
DEPUTY ERIE COUNTY SHERIFF MICHAEL HOOCK, individually and in his official
capacity, DEPUTY ERIE COUNTY SHERIFF JASON WEISS, individually and in his official

capacity, DEPUTY ERIE COUNTY SHERIFF THOMAS WAS, individually and in his official capacity, and DEPUTY ERIE COUNTY SHERIFF JAMES FLOWERS, individually and in his official capacity, (collectively the “County Defendants”), in accordance with Local Rule 56.1, submit the following Appendix to the Rule 56.1 Statement of Material Facts:

EXHIBIT A: Summons and Complaint (Dkt. 1)

EXHIBIT B: Answer on behalf of County Defendants (Dkt. 8)

EXHIBIT C: Subpoena and Restraining Notice

EXHIBIT D: Arrest and Booking Forms of Raymond Wierzbic, Brian Wierzbic and Bernice Wierzbic

EXHIBIT E: Affirmation of Erie County Sheriff Timothy Howard dated 5/24/16

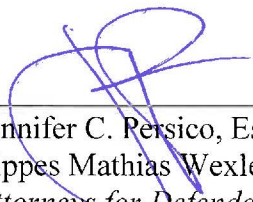
EXHIBIT F: Aurora Town Court Disposition Sheets for Raymond Wierzbic, Brian Wierzbic and Bernice Wierzbic issued by the Honorable Jeffrey P. Markello on July 3, 2013

EXHIBIT G: Decision of the Honorable Michael Pietruszka dated 9/30/14

EXHIBIT H: Third Amended Scheduling Order (Dkt. 67)

EXHIBIT I: Fifth Amended Scheduling Order (Dkt. 75)

Dated: May 25, 2016
Buffalo, New York



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